

1900-013 Chancery Causes: John Chance & vs. Arch Combs &
Lee Co.

Monday, Edds

1 Plat

CA-Estate Dispute
T-Property

Will: 1889 : Levi Chance : Lee County

To the Hon. W. J. Miller, Judge of the
Circuit Court, holding said Court at
Jonesville, for Lee County, Va.:

The bill of complaint of John
Chance, Uriah B. Chance, Stephen
Chance, Peter F. Chance, Charity
Combs, Jacob Monday and wife Nancy
Monday, all residents of Lee County
Virginia, of G. W. Edds and Rachel
Edds, his wife, residents of Hancock Co.
Tenn, Hugh Chance, a resident of
the State of Kansas and Samuel
Chance, a resident of Claiborne
County, Tennessee, Exhibited
Against-

Arch Combs, James Combs, Rachel
Combs, and Charles Combs, all residents
of the State of Virginia, and Lee County,
defendants.

Complainants would respectfully
show to the court:

I

That Levi Chance died, Testate,

at his home in Lee County Virginia
about the year 1890 seized, and possessed
in fee of the following described
tract of land in said Lee County,
Virginia, on the waters of Indian
Creek, beginning on the South side of
a spur in a sink hole on two poplars,
thence S 22 W, 131 poles to three white oaks
on a spur; thence N 42 W, 204 poles
to a chestnut and black oak on the top
of a ridge; thence N 62 W, 106 poles to two
chestnuts and a black oak on the
top of said ridge; thence N 25 E, 128
poles to two white oaks on the East
side of a spur; thence S 76 E, 135 poles
crossing a branch to three white
oaks on the east side of a hollow;
thence S 31 E, 138 poles crossing the
branch to the beginning, and fully
and particularly described in a deed
from Nathaniel Morgan, ^{and wife Patsy} to said Levi
Chance, dated February 16th, 1847 and
recorded in deed book 10, at page 366
of the register's office, of Lee County, Va.

to which reference is had for a more particular description

II

Said Levi Chance left surviving him, his widow, who died in 1896, and the following children and heirs at-law, John Chance, Uriah B. Chance, Stephen Chance, Peter F. Chance, Charity, who married a Combs who died some years ago, Nancy Monday wife of Jacob Monday, Rachel Edds, wife of G. W. Edds, Ceilard Combs, a daughter who is now the wife of Elisha Combs, Hugh Chance and Samuel Chance

III

Said Levi Chance disposed of the above described real estate by will dated 23 day of Feb. 1886, which was after his death, duly probated, in the Circuit Court of Lee County, Virginia. Said will gives to each of his children and heirs at-law an undivided one tenth interest in said land except that to Charity Combs, he wills her interest

to her as her sole and separate estate but her husband is now dead and said limitations are immaterial, said will also disposes of the interest that would have otherwise gone to Beilard Combs, to her children free from any claim of her husband or her self. So that under said will the defendants being the children of said Beilard and Elisha Combs are each entitled to an undivided one fourth of one tenth of said land. Said children are Arch Combs, James Combs, Rachel Combs, and Charlie Combs, Charley being a minor, eighteen years old, without a regular guardian

IV

Said land is a large farm, with five or six small dwelling houses, several Springs, and is susceptible of being partitioned among the several parties in interest.

V

The land is held and owned under the will of the deceased, a certified copy of which is hereto attached marked exhibit- "a" but need not be copied with the process.

VI

The parties in interest- and their residences are as set out in the caption.

Premises considered,
complainants pray:

That proper process issue compelling defendants to answer, but not on oath, that- being expressly waived, from each and all of them.

2.

That a guardian ad litem be appointed by the court to make defense for the defendant- Charley Combs.

3

That the rights of the parties be declared and settled, that said land be fairly and impartially

divided among the several parties
in interest; and that title be
divested and vested accordingly.

That in case said land is not
susceptible of partition, that then
the same be sold and the funds
be divided as the interests of the
parties shall appear, and to that
end that all necessary orders and
references, for process, and for
general relief. And they will ever pray, etc.

S. C. Chance

B. F. Sewell,
P. P.

State of Virginia
Lee County } Personally came
Stephen Chance before the undersigned
authority and made oath that the
statements made in the foregoing
bill are true to the best of his
knowledge, information and belief.
Sworn to & subscribed X
before me, July 10. 1898.

H. C. Richmond J. R. P.

In the name of God and in the presence of these witnesses and calling to mind the uncertainty of human life and being desirous of making disposition of such property as it has pleased God to allow me to possess. Being of sound mind and disposing memory. I make the following disposition of my property. Viz:—I will that after my death my wife Rachel shall have full control of all my lands and personal property during her life provided she shall out live me and after my death and the death of my said wife, I will that my sons John, Uriah, Stephen, Samuel, Peter & Hugh and my daughters Nancy Munday Charity Combs Rachel Edds shall each have an equal part of my real and personal estate. I will that the part left to my daughter Charity Combs shall be used and controlled by her alone. I will to the children of my daughter Bealcira the wife of Elisha Combs an equal share of my said estate with my other heirs. my said daughter Bealcira nor my son in law Elisha Combs is to have no control of the part willed to their said children. I hereby appoint H. L. T. Richmond to present this my last will to the Hon Court to be recorded. Witness my hand & seal this the 23rd day of February 1886.

Witnesses.

H. L. T. Richmond.

John Chance.

Levi ^{his} Chance Seal
mark

Virginia.

At a circuit Court begun and held for Lee County at the Court house thereof, Decr 2nd 1889.

The last will and testament of Levi Chance, was this day

produced in court and proven by the oath of H. C. T.
Richmond one of the subscribing witnesses thereto, who
also proved the execution of said will in his presence
and John Chance they both being present together at the
same time in the presence of said Testator and the said
will is ordered to be recorded.

A Copy from record
Teste J. A. Hyatt C. C.

"X"

John Chance
Copy of Will.

N.B. No. 34 page
478 +

Plaintiffs Costs

Clerk 10.71
Sheriff 3.50
Guardian ad litem 5.00
Surveyor 28.00
Comrs 16.00
Chairman 9.00
Flagmen 4.50
Stephen Chance 5.00
County Clerk 4.00

85.71

O. B.

John Chance et al

67

Arch Combs et al

1898. 1st February rules bill
filed Spa & executed & Del.
" 2nd Feb'y rules & in
confd & Cause set for
hearing

November Term 1898
Decree final O. B. No 6
Page 218

Plffs Costs Clerk 10.71

Shiff 3.50
S. A. L. 5.00
Surveyor 28.00
Comrs 16.00
Chairman 9.00
Flagman 4.50

Stephen Chance for board 5.00
Conty Clerk 4.00

att'y \$76.71
91.71

L. D. CHANCE,
ATTORNEY AND COUNSELLOR AT LAW,
TAZEWELL, TENN.

John Chance

To the Honorable W. J. Miller Judge of
the Circuit Court for Lee County Virginia

The separate answer of
Charles Cambo, an infant under
the age of twenty one years, by
D. P. Sewell, his guardian ad litem,
assigned to defend him in this suit,
to a bill of complaint exhibited
against him and others, in the Circuit
Court for Lee County Virginia, by
Stephen Chance and others,

The respondent, reserving to himself
the benefit of all just exceptions to
the said bill, for answer thereto, or
to so much thereof as he is advised that
it is material he should answer, by
his said guardian ad litem, answers
and says:

That he is an infant of tender years,
and by reason of his infancy is inca-
pable of understanding, or taking
care of his rights and interests. He
therefore, by his said guardian, com-
mends himself and his rights and
interests to the protection of the Court
and prays that no decree may be pronoun-
ced which will tend to his prejudice,
And having fully answered the said
respondent prays to be hence dismissed
with his reasonable costs in this behalf
expended, and he will ever pray etc.

D. P. Sewell

Guardian ad litem for
Charles Cambo.

Sworn to before me by D. C. Sewell this
The 13th day of June 1898
W B Munsey Clerk

Charles Canis.

Ads. { Assumed by
Guardian ad Litem

John Chancellor,

Filed in open Court and
by leave thereof on June 13th
1898. W B Munsey Clerk

John Chance et al Plffs,
vs
Arch Cambs et al Dfts } See Chancery.

On motion of R. B. Munsey Clerk of the Circuit Court for Lee County Virginia, this cause is hereby re-instated on the docket for the purpose of enforcing the lien declared by the decree of November ^{17th} 1898 entered in said cause, on the lots of land assigned to said parties to this suit for unpaid costs of suit.

And on the further motion of the said R. B. Munsey Clerk ^{stating there are unpaid costs of this suit} as prothonotary a rule is hereby awarded against Hugh Chance, Charity Cambs, Samuel Chance, Stephen Chance, Margaret Chance, Rachel Edds, John Chance, Maria B. Chance, Peter F. Chance, Arch Cambs, James Cambs, Rachel Cambs and Charles Cambs, or any or either of them returnable to the first day of the next term of this Court. To show cause if any they have or can, why said lien should not be enforced on their respective lots of land assigned them in the partition of said land in said suit for any unpaid costs of said suit due by them or either of them, and the same rule to pay the cause, and this cause is continued.

John Chance that,
as { order
Arch Cambroetal,

Entered O.B.C.
P. 472.

Enter this,
Nov. 17th 1900,
H. a W. S. L. W.

John Chance et al, Plffs, (In Chancery,
vs
Arch Coumbes et al, Dfts)

This cause came on this the 17th day of November 1898 to be again heard upon the papers formerly read, and the report of L. M. Carnicel, J. S. Duaneley, and M. S. Ball Commissioners appointed to make partition of the lands in the bill and proceedings mentioned, and the plat and exhibits with said report, filed on the 27th day of October 1898, and was argued by Counsel. And there being no exceptions to said report, or to any of the exhibits filed therewith, it is adjudged ordered and decreed that said report and the partition thereby made be and the same are hereby confirmed.

And it is further adjudged ordered and decreed that Hugh Chance take and hold Lot No. 1, containing twenty one acres more or less; that Charity Coumbes take and hold Lot No. 2, containing thirty one acres more or less; that Samuel Chance take and hold Lot No. 3, containing eight acres more or less; that

Stephen Chance take and hold ^{in his own right} Lot No, 4, containing thirty five acres, more or less, and that the said Stephen Chance and Margaret Chance his wife as vendors of Nancy Munday and Jacob Munday her husband, take and hold Lot No, 5, ^{containing thirty four acres, more} assigned by said Commissioners to the said Nancy Munday; that Rachel Edds take and hold Lot No, 6, containing thirty four acres, more or less; that John Chance take and hold Lot No, 7, containing twenty eight acres, more or less; that Uriah B. Chance take and hold Lot No, 8, containing twenty nine acres, more or less; that Peter F. Chance take and hold Lot No, 9, containing thirty two acres, more or less; and, that Arch Combs, James Combs, Rachel Combs, and Charles Combs, jointly take and hold Lot No, 10, containing thirty three acres, more or less, and all of which said lots are laid down on the plat filed by said Commissioners as part of their report, and said lots are particularly described by metes and bounds in said

report. All of said parties
shall the respective lots assign-
ed them in severally free from
the claims of their co-porceners,
except that the owners of lots
Nos. 2, 3 and 4, shall have the
right to use water for house-
hold purposes from the Blue
Spring north of the road on lot
No. 5, confining their way to the
public road until opposite said
Spring, and that the owners of
lots Nos. 7 and 9, are to have access
to and the right to use water from
~~for household purposes~~
the Spring on lot No. 8 situated
on the east side of the public
road and nearly north of the
Spring at the old mansion
house, and all fences near
portion lines where they
run nearly in the direction
of portion lines are to be
placed thereon.

And it is further adjudged
ordered and decreed that
the Clerk of this Court deliver
to the Clerk of the County Court
to be recorded by him in the
proper deed book in his
office, a copy of the decree
appointing said Commissioners

the report and plott of said
commissioners and a
copy of this decree, and
the fees of said County Court
Clerk shall be taxed as a
part of the cost of this suit.
It is further ^{adjudged} ordered
and decreed that ^{each of} the plaintiffs
pay one-tenth of the costs of
this suit, except Stephen
Lehance pays two-tenths
thereof, which is his own
and that of Nancy Monday,
and that the defendants
pay the remaining one-
tenth of said cost, and
for which execution may
issue, and said costs are
declared to be a lien
on said lots in said
land, and there being nothing
further to be done herein, this
Cause is Stricken from the
docket, with leave to the parties
in interest to re-instate said
Cause for the purpose of
enforcing said lien if the
same is not paid.

Virginia, Lee County, to wit:-
In the Office of the Clerk of the County Court
for said County The 26th day of June 1899.
This Partition was presented and admitted
to record.

List:-

John Chauncey et al,
vs Decree Confirm-
ing report of
vs Expositions - final
Arch. Camille et al,

Eu. C. O. B. 6 p. 218
219 + 220.

(3)

Enter this,
N. M.
November 17th 1898.

John Chance et al. Plffs.
vs
Arch Combs et al. Dfnd } John Chauncy

This Cause came on this the 13th day of June 1898 to be heard upon the life of the plaintiffs, and exhibits therewith, upon process returned duly executed on all of the depts and, the answer of the infant defendant, Charles Combs, by D. C. Sewell, his guardian ad litem, and ^{was} argued by Counsel. And it appearing to the Court that the adult Defendants have failed to appear and answer to, plead or answer said bill, it is taken for confessed as to them. On consideration whereof, and it appearing to the Court from a duly certified copy of the will of Levi Chance filed with said bill, marked exhibit "A", that each of the plaintiffs is entitled to an undivided one ~~tenth~~ ^{fourth} in the said tract of land mentioned in said bill, and that the said defendants, Arch Combs, James Combs, Rachel Combs and Charles Combs, being the children of Beilord and Elisha Combs, are each entitled to an undivided one fourth of one tenth part of said

Tract of land. It is therefore,
adjudged ordered and decreed that
partition of the said tract of land
mentioned and described in said
bill, of which the said Levi Chance
died seized and possessed in fee
simple, lying and being in Lee County
Virginia and fully described in a
deed, dated February 16th 1847,
from Nathan Morgan and Patsy
his wife to the said Levi Chance
recorded in deed book 10 page
366 in the Clerk's office of the
County Court for Lee County Virginia
and referred to in said bill, be
made between the said plaintiffs
and the said defendants, and
that one equal tenth part thereof
quantity, quality, ways, woods and
water, being considered, be laid
off and allotted to each one of
the said plaintiffs, viz: John
Chance, Uriah B. Chance, Stephen
Chance, Charity Combs, Nancy
Monday, ^{Rachel Edd} Peter F. Chance, Hugh
Chance and Samuel Chance,
and that one equal tenth part
thereof be laid off and allotted
to the said defendants, viz: Arch
Combs, James Combs, Rachel Combs,
and Charles Combs, jointly and
together, or all or any lay off

1 to each of said defendants are
2 equal one fourth part of said
3 one-tenth of said tract of land
4 as they may prefer. And it is
5 further adjudged ordered and
6 decreed that L. M. Carnical,
7 J. S. Swanely, and M. S. Ball
8 be and they are hereby appointed
9 Commissioners, after being duly
10 sworn for the purpose, to lay off
11 and partition said tract of land
12 according to this decree, and
13 make their report thereof, together
14 with a fair plat of the same
15 to this Court at its next term,
16 or if said land is not suscepti-
17 ble of partition in accordance
18 with this decree and a sale there-
19 of and a division of the proceeds
20 of such sale among said parties
21 according to their respective inter-
22 ests therein, will be most advantage-
23 ous. They will so report at said
24 term of said Court, and their
25 reasons for the same, and until
26 which time this Cause is continued.

John Chance et al,
vs { Deere for
{ Position.

Arch Combs et al.

Eu. C. B. 6 p. 129.

(1)
Recorded in D. B. No 34
page 478

Enter this,
W. L. L.
June 13th 1898.

(10 copies)

Virginia

At a Circuit Court Continued and held
for Lee County at the Court-house thereof
Saturday November the 17th 1900.

John Chance et als

Plffs

vs

Arch Combs et als

Defts

In Chancery

On motion of A.B. Munsey Clerk
of the Circuit Court of Lee County Virgin-
ia, this Cause is hereby reinstated on the
docket, for the purpose of enforcing the
lien declared by the decree of November
17th 1898, and entered in said Cause on
the lots of lands assigned to said parties to
this suit for unpaid Costs of suit.

And on the further motion of the
said A.B. Munsey, Clerk as aforesaid stating
there are unpaid costs of suit, a rule
is hereby awarded against Hugh Chance,
Charity Combs, Samuel Chance, Stephen Chance,
Margaret Chance, Rachel Edds, John Chance,
Uriah B. Chance, Peter F. Chance, Arch
Combs, James Combs, Rachael Combs and
Charles Combs or either of them returnable
to the ^{first day of the} next term of this Court, to show
cause, if any they have or can, why
said lien should not be enforced on their
respective lots of land assigned them in
the partition of said land in said suit for any

Serve Copies on

Serve Copies on
Charity Combs
Samuel Lechance
Stephen Lechance
Margaret Lechance
Rachel Eddo
John Lechance
Uriah B Lechance
Peter F Lechance
Arch Leombs
James Leombs
Rachel Leombs
Charles Leombs

John Lechance et als
vs Copies of Deere
Arch Leombs et als

Executed March the 2
nd 1901 by Delivering
an office copy of the within
Summons to Charity
Combs. Steam Lechance
Margaret Lechance John
Lechance Uriah B Lechance
Peter F Lechance Arch
Leombs James Leombs.
Rachel Leombs Charles
Leombs.
W. J. Wickham
S. L. C.

unpaid costs of suit due by them or either
of them ~~and either of them~~ and the same
shall be paid the same & this order is
continued.

A copy
Test: A B Murray Clerk

State of Tenn. Hancock Co.

Personally appeared before me
W. C. Monday a Justice of the Peace
for said County. Jacob J. Monday
and Nancy Monday his wife of the
State of Tenn. parties of the first
and agrees to sell to Stephen
Chance and Margaret Chance his
wife, parties of the second
~~parties~~ a piece of land, a part
of the old Chance farm, that is
their interest, in the same,
for the consideration of two hundred
dollars and their part of the
expense in dividing the old
farm

This the 20 Oct. 1898.

Witness our hands and seal.

Jacob J. Monday

Nancy Monday

Per
Mark

Jacob Monday
To
Stephen Chance

Filed Oct the 27th 1888
A.B. Munsey
Clerk

(2)

Surveyor \$28.00
Comrs 16.00
Chairman 9.00
Flagman 4.50
Stephen Chance 5.00
\$62.50

Surveyor \$28.00
Comrs 16.00
Chairman 9.00
Flagman 4.50
Stephen Chance 5.00
\$62.50

Co Clerk \$4.00

(1).

John Chance et al Plff
VS
Arch Combs et al Def } In Chancery

Pursuant to an order of the Circuit Court of Lee Co dated June 13th 1898.

We the undersigned Commissioners, have partitioned the lands mentioned in the above Cause according to the following plat and report. (Having been duly sworn before executing said decree)

We found said tract of land to contain by actual survey 287 acres. out of which we have laid off and allotted to Hugh Chance Lot No 1. which we consider equal in value to one tenth the entire tract - and bounded as follows: Beginning at (A) an original corner on the south side of a spur, in a sink hole with two poplars marked as corner trees - thence with original line N 26 $\frac{1}{4}$ W 13 poles to (B) a stake with two black gums and small dogwood pointers - thence S 40 W 132 poles to (C) a stake on the original west line and with the same S 39 $\frac{1}{2}$ E 43 poles to (D) three white-oaks original corner and with original east line N 27 $\frac{1}{2}$ E 137 poles to the beginning containing 21 acres. be the same more or less.

We have laid off and allotted to Charity

Combs, Lot N^o 2 - which we consider
in value to one tenth the entire tract -
and bounded as follows, to wit: Beginning
at (B) corner to Lot N^o 1, thence with original
line N 26 $\frac{1}{4}$ W 13 $\frac{3}{4}$ poles to (E) a stake with two
dogwoods and a whit oak pointer - Corner to Lot
N^o 3, and with line of same S 63W 13 $\frac{1}{4}$ poles to
(F) a stake on the west original line and
with the same S 39 $\frac{1}{2}$ E 66 poles to (C) a stake,
Corner to Lot N^o 1 and with line of the
same N 40 E 132 poles to the beginning. Con-
taining 31 acres - more or less

We have laid off and allotted to Samuel
Chance, Lot N^o 3, which we regard equal in
value to one tenth the whole tract, and
bounded as follows: Beginning at (E) stake
& two dogwood pointers - corner to Lot N^o 2
thence with original line N 26 $\frac{1}{4}$ W 10 poles to
(C) a stake with ash and black-gum pointers.
Thence S 63W 135 poles to (H) a stake on the
original west line (thence with said line
S 39 $\frac{1}{2}$ E 10 $\frac{1}{2}$ poles to (F) a stake corner to Lot
N^o 2 and with line of same S 63E 134 poles
to the beginning - Containing 8
acres more or less

We have laid off and allotted to Stephen -
Chance Lot N^o 4 - which we regard equal
in value to one tenth the entire tract, and

bounded as follows: Beginning at (G) a stake and ash and black-gum pointers. Corner to Lot N^o 3, Thence with original line N 26 $\frac{1}{4}$ W 41 $\frac{1}{2}$ poles to (I) a stake with white oak, black oak and black-gum pointers, thence S 63 W 145 poles to (J) a stake with dogwood and Sassafras pointers - on the original west line and with the same S 37 $\frac{1}{2}$ E 42 $\frac{1}{2}$ poles to (H) a stake with maple and dogwood pointers. Corner to Lot N^o 3 and with line of same N 63 E 135 poles to the beginning. Containing 35 acres, more or less.

Note. Lots No 2, 3 and 4 shall have right to use of water for household purposes in blue spring on the north of road on Lot N^o 5 - confining their way to the public road untille opposite said spring. We have laid off and allotted to Nancy Monday Lot N^o 5 - which we consider equal in value to one tenth the entire tract - and bounded as follows to wit: Beginning at (J) a stake with Sassafras and dogwood pointers thence with original line N 37 $\frac{1}{2}$ W 38 poles to (K) a stake, hickory & black-oak pointers. Thence N 63 E 133 poles to (L) a stake thorn-bush - cedar and sycamore, on east original line and with the same S 26 $\frac{1}{2}$ E 37 $\frac{1}{2}$ poles to (I) a stake white oak - black oak & black-gum pointers. Corner to Lot 4 and with line of same S 63 W

145 poles to the beginning - Containing 34 acres
more or less.

We have laid off and allotted to Rachel
Edels Lot No 6 - which we regard equal in
value to one tenth the entire tract - and
bounded as follows: Beginning at (M)
a stake, chestnut and black oak on top of a
ridge - original corner thence with original
line N 47° W 24 $\frac{3}{4}$ poles to (N) a stake N 63° E 166 poles
to (O) a stake in a flat and on original East
line and with same S 26 $\frac{1}{4}$ ° E 34 $\frac{1}{2}$ poles to (L) a
stake, thornbush, cedar & yucca more on the origi-
nal line - Corner to Lot No 5 - and with line
same S 63° W 153 poles to (K) a stake, hickory &
black oak pointers, thence with original line
N 39 $\frac{1}{2}$ ° W 103 $\frac{3}{4}$ poles to the beginning. Containing
34 acres more or less

We have laid off and allotted to John
Chance Lot No 7 - which we regard equal in
value to one tenth the whole tract - and
bounded as follow - to wit: Beginning at (V)
a stake, corner to Lot No 6, thence with origi-
nal line N 47° W 30 $\frac{1}{2}$ poles to (P) a stake, corner to
Lot No 8 - thence with line of same S 63° W 92 poles
to (Q) a stake, corner to said Lot No 8, thence
continuing with the next three lines of
said lot - S 27° E 7 poles N 63° E 25 $\frac{3}{4}$ poles to (S)
a stake in public road, and with same

N 47 W five poles & 20 feet to a (T) stake thence
N 63 E 65 poles to (U) a stake with oak pointer
on original East line and with the same
S 26 $\frac{1}{4}$ E 26 poles to (O) a stake & pointer - Cor-
ner to Lot No 6 and with line of same
S 63 W 65 poles to the beginning contain-
ing 28 acres - more or less.

We have laid off and allotted to Uriah
B. Chance Lot No 8 - which we regard
equal in value to one tenth the entire
tract - the metes and bounds of which
are as follows: Beginning at (V) a stake in
a field, a few feet south west of a white oak stump
the original corner thence with original line
S 26 $\frac{1}{2}$ E 25 $\frac{3}{4}$ poles to (L) a stake thence S 63 W 65 poles
to (T) a stake ~~on~~ public road & with same
S 47 E 5 poles & 20 feet - thence S 63 W 25 $\frac{3}{4}$ poles
N 27 E 7 poles thence S 63 W 22 poles to (P) a stake
on original west line and with the same
N 47 W 27 $\frac{1}{4}$ poles to (W) a stake. Corner to Lot No 9 and
with line of same N 63 E 187 poles to (X) the origi-
nal East line, and with same S 22 E 12
poles to the beginning containing
29 acres - more or less.

We have laid off and allotted to Peter F
Chance Lot No 9 - which we regard equal
in value to one tenth the entire tract -
bounded as follows. Beginning at (Y) a
small poplar and peach tree in a kind of

small sink or swamp thence S 27° E 4 $\frac{5}{6}$ poles to (Z) a stake thence S 63° W 28 $\frac{3}{4}$ poles to (a) a stake & dogwood painter on original line & with the same S 21 $\frac{1}{2}$ ° W 4 $\frac{1}{2}$ poles to a double Chestnut & black-oak on top of ridge thence continuing with original line S 47° E 20 $\frac{1}{4}$ poles to (W) a stake corner to Lot N° 9 and with line of same N 63° E 18 $\frac{1}{2}$ poles to (X) a stake on the East original line and with the same N 72° W 40 poles to (b) a stake thence S 65° 25' W 12 $\frac{5}{8}$ poles to the beginning - Containing 32 acres more or less.

Note - Lots No 7 and 9 are to have acc^{es}s, for household purposes, to a spring on Lot N° 8, situated on the East side of public road and nearly north of the spring at old mansion house -

We have laid off and allotted to defendants Arch Combs - James Combs, Rachel Combs and Charles Combs - jointly, Lot N° 10 which we consider equal in value to one sixth the entire tract - bounded as follows:

Beginning at (Y) a poplar and peach tree, corner to Lot N° 10 thence with line of same S 27° E 4 $\frac{5}{6}$ poles to (Z) a stake thence S 63° W 28 $\frac{3}{4}$ poles to (a) a stake on original line and with the same N 21 $\frac{1}{2}$ ° E 108 $\frac{1}{2}$ poles to a white oak stump on a hill side - corner original - thence

Continuing with original line S 72 E 102 poles
to (b) a stake-Corner to Lot N^o 9 and with
line of same S 65° 25' W 125 poles to the begin-
ning. Containing 33 acres more or less.

Note. All fences, near to partition lines are
to be placed thereon, where they run nearly
in the direction of said lines.

Note. Stephen Chance has purchased from
Nancy Monday her interest. Lot N^o 5, as
evidenced by agreement herewith filed,
and desires the Court to confirm said
Lot to said Stephen Chance.

All of which is most respectfully sub-
mitted This the day of Oct 1898

L. M. Carnical
T. S. Snowely } Comrs.
M. S. Ball

Partition of the Chance Land Oct. 23. 1898
By Carmical, Snively and Ball. Comm.

